

Mayor Patrick L. McCrory

Nancy G. Carter
Harold Cogdell, Jr.
Malcolm Graham
Don Lochman
James E. Mitchell, Jr.

Mayor Pro Tem Patrick De'Angelo Cannon

Patrick Mumford
Sara S. Spencer
John Tabor
Lynn Wheeler
Joe White

CITY COUNCIL MEETING
Monday, May 13, 2002

5:00 p.m.

Conference Center

Dinner Briefing
(See Table of Contents)

7:00 p.m.

Meeting Chamber

- **Invocation**
- **Pledge of Allegiance**
- **Awards and Recognitions**
- **Formal Business Meeting**

CITY COUNCIL AGENDA

Monday, May 13, 2002
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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Draft 2002 State Legislative Agenda

Resource: Boyd Cauble, City Manager's Office

Time: 45 minutes

Synopsis of Presentation:

Review the Draft 2002 North Carolina Legislative Agenda.

- Discuss items that Council should add or delete.
- Discuss statewide issues that need Council's recommendation.
- Council will consider the Legislative Agenda items and take action at tonight's Council meeting. After Council approval, the Legislative Package will be presented to the Mecklenburg Delegation for introduction into the 2002 session of the North Carolina General Assembly.
- The Council's Intergovernmental Liaison Group approved this Legislative Package on April 22nd.

Item # 8 of this agenda recommends Council action to approve the 2002 State Legislative Agenda

Attachment 1

2002 Proposed Legislative Agenda

2. Voices and Choices Update

Resource: Bobbi Hapgood, Voices and Choices

Time: 20 minutes

Synopsis of Presentation:

Bobbi Hapgood of Voices and Choices will provide:

- overview of the Strategic Regional Open Space Framework and
- future Quality of Life Resolution that elected bodies in the region are being asked to adopt

This presentation is a follow-up to a request made by the elected officials participating in the EPA Environmental Working Group. Convened by Mayor Pat McCrory and County Commission Chair Parks Helms, this group represents 15 cities and 11 counties in North and

South Carolina. The EPA Environmental Working Group is discussing regional cooperation on a number of environmental issues.

Since the 1998 Regional Environmental Summit, Voices and Choices has facilitated a dialogue to find regional solutions to regional issues. *One Plan for the Region* is a blueprint of the region's vision to retain our quality of life. In support of this effort, local civic leaders across the Central Carolinas have been asked to pass a Quality of Life Resolution confirming the local desire to protect our quality of life. Staff will be working with Voices and Choices to develop the language for this resolution and coming back to Council at a later date.

Attachment 2

Vision Map

Quality of Life Resolution template

3. Government District Master Plan

Resources: Martin Cramton, Charlotte Mecklenburg Planning Commission
Mark Hahn, Mecklenburg County Real Estate

Time: 20 minutes

Synopsis of Presentation:

Martin Cramton will give an overview of the Planning Liaison Subcommittee's review progress of the Second Ward and Government District Master Plan. Mark Hahn will give an update on the status of the Government District Plan.

Since December, the Planning Liaison Subcommittee has been reviewing the Second Ward and Government District Master Plans. The group is working toward consensus on the two plans. In order to complete work on the Government District Master Plan, the group has determined the three following steps must occur:

Step 1: Each stakeholder (City, County & Schools) must decide which departments or divisions to locate within or outside of the Government District and determine which groups are candidates for co-location with other stakeholders (90 days).

Step 2: The stakeholders will jointly explore co-location opportunities, determine costs of proposed solutions, and make recommendations to the Planning Liaison Committee (30-60 days).

Step 3: The Planning Commission will prepare an Urban Design Plan for the Government District to address issues of street character, uses and activities, and history and context (adoption in fall 2002).

The City Council will be asked to direct the City Manager and Planning Commission to carry out the three steps in item # 12 of this agenda.

Future Action:

Both plans will come back to the Council for approval after review by the Planning Liaison Committee.

4. Committee Reports by Exception

Communities Within A City: FY2003 Consolidated Action Plan; St. Peters' Homes Project

7:00 P.M. AWARDS AND RECOGNITIONS MEETING CHAMBER

CONSENT

- 5. Consent agenda items 15 through 28 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

6. Public Hearing on the Proposed Soil Erosion and Sedimentation Control Ordinance



Action: Conduct a public hearing on the proposed amendments to the Soil Erosion and Sedimentation Control Ordinance.

Staff Resource: Lisa Hagood, Engineering and Property Management

Explanation:

In October 1999 the State presented mandated changes to the Soil Erosion and Sedimentation Control Ordinance. The Storm Water Advisory Committee (SWAC or Advisory Committee) endorsed the State mandated changes and City Council approved the amendment to the Soil Erosion and Sedimentation Control ordinance in August 2000. During that same time, City and County staff along with the Advisory Committee determined there were other changes necessary to make the City and County ordinances stronger, and more consistent.

The Advisory Committee set up a stakeholders group in fall of 2000 to review the ordinance and make any further recommendations. The stakeholders group combed through the proposed revisions with County and City staff over a course of two years. SWAC reviewed the proposed revisions, made changes and endorsed the revisions at their February 21, 2002 meeting.

The revised ordinance strengthens the City and County's ability to address two primary objectives:

- Hold developers and contractors responsible for maintaining erosion control on their projects, and
- Protect environmentally sensitive areas from sediment damage

Council will be asked to adopt this ordinance on May 28, 2002.

Community Input:

A stakeholders group of developers, environmental representatives, City Engineering & Property Management Land Development staff, as well as staff from Mecklenburg Environmental Protection and Mecklenburg County Land Development met to work on this amended ordinance.

Attachment 3

Stakeholders membership list
Summary of proposed changes
Proposed ordinance

POLICY

7. City Manager's Report

8. State Legislative Agenda for 2002

Action: Approve the North Carolina Legislative Agenda for the year 2002.

Staff Resource: Boyd Cauble, City Manager's Office

Explanation:

There are three general requirements of the Mecklenburg Delegation for consideration during the 2002 legislative "short session":

- Items approved by either house during the 2001 session, but not by both or
- Items that are money bills and subject to an appropriation or spending review or
- Non-controversial local bills that receive unanimous approval from the Delegation

The local Legislative Package includes:

- MWBD interim program provisions (to be determined)
- Railroad liability limitations
- Charlotte Firefighter's Retirement System changes
- Revise "going out of business" procedures
- Authority for criminal checks for taxi cab drivers
- Reduce "holding period" for unclaimed property
- Extend authority for private construction at the airport
- Revisions to the City Charter

Council is also asked to endorse "statewide" issues related to local funding initiatives for reimbursements and utility franchise revenues.

Upon approval of the proposed 2002 Legislative Package staff will coordinate the program with the Mecklenburg Delegation.

Attachment 1

2002 Proposed Legislative Agenda

9. FY2003 Consolidated Action Plan



Action: Approve the CWAC Committee's recommendation to approve the FY2003 City of Charlotte and Charlotte-Mecklenburg Regional Housing Consortium Consolidated Action Plan to receive the proposed grant allocation of approximately \$8 million for the next fiscal year.

Committee Chair: Pat Mumford

Staff Resource: Stanley Watkins, Neighborhood Development

Policy:

The Consolidated Action Plan is the Charlotte-Mecklenburg and Regional Housing Consortium's one-year strategy for providing housing and community development activities to serve low and moderate-income households. It describes the City and Consortium's goals, objectives and strategies for carrying out federal and local programs. Preparation of the *Consolidated Action Plan* is required each year by the U. S. Department of Housing and Urban Development (HUD) in order to receive federal housing funds. The *Consolidated Action Plan* complements the City's Communities Within A City Focus Area.

Explanation:

The FY2003 Consolidated Action Plan continues current policies regarding the City's approach to housing and community development. It focuses on Charlotte's efforts in providing economic opportunities, housing and sustainable neighborhoods. The Plan establishes a vision for the Charlotte community and sets forth goals, objectives and benchmarks to achieve the vision. The Plan includes for the first time the housing objectives for the new Regional Housing Consortium, a partnership between the City, Mecklenburg County and the small towns. The Plan also embraces HUD's goals of providing housing, suitable living environments and economic opportunities for low and moderate-income households.

The Consolidated Plan also serves as the City's annual application for federal grant funds, which is due to HUD on May 15, 2002. Submission of the one-year Action Plan is required to receive approximately \$8 million in new federal funds. The proposed funds are included in four grant programs:

Community Development Block Grant (CDBG)	\$4,834,000
Home Investments and Partnerships (HOME)	2,440,000
Emergency Shelter Grants (ESG)	167,000
Housing Opportunity for Persons with AIDS (HOPWA)	\$520,000
Total	<u>\$7,961,000</u>

The annual allocation is determined by HUD's entitlement formulas. The formulas use data based on overcrowded housing, population growth/lag and

poverty, or data based on the age of housing. A copy of the FY2003 Consolidated Action Plan is in the Council Library.

Committee Discussion:

The Consolidated Plan was presented to the CWAC Committee on May 2, 2002. The Committee voted unanimously to recommend approval of the FY2003 Consolidated Plan. Committee members Mumford, Cannon, Lochman, Mitchell and Spencer were present.

Community Input:

In January 2002, Neighborhood Development held a citizen participation forum to inform the community and the City's financial partners about the upcoming Consolidated Plan process and timeline for completion. Eight hundred invitations were mailed to various organizations and individuals to inform of the forum dates. Citizen participation forums were also held with each member of the Charlotte-Mecklenburg Regional Housing Consortium. (Consortium members include the City of Charlotte, County of Mecklenburg, and the towns of Cornelius, Huntersville, Matthews, Mint Hill, and Pineville.) All members were informed of an opportunity to submit specific projects for consideration in the Plan.

On March 14, 2002 a public forum was held at the Adam Area Service Center. Citizens were informed of the forum through The Charlotte Observer and The Charlotte Post. On April 1, 2002, copies of the draft document were distributed to public places for citizen review and comment – including Old City Hall, Mecklenburg County Library Main Branch, Belmont Center, Alexander Street Center, Amay James Center and Greenville Center.

A public hearing before City Council occurred on April 22, 2002. No one spoke at the public hearing.

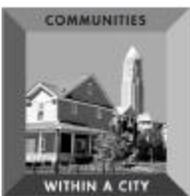
Funding:

Federal CDBG, HOME, ESG and HOPWA funds. A budget ordinance for acceptance of these funds will be included in the FY2003 Budget adoption.

Attachment 4

Use of Federal Grant Allocations

10. 2002 Low-Income Housing Tax Credit Applications



Action: Approve the CWAC Committee's recommendations for letters of support, financial commitments and/or waiver of Housing Locational Policy for housing projects being considered by the North Carolina Housing Finance Agency for award of tax credits.

Committee Chairman: Pat Mumford

Staff Resource: Stanley Watkins & Jeff Meadows, Neighborhood Development

Policy:

The City's FY2001 – 2005 Consolidated Plan identifies the need for affordable, safe and decent housing for low and moderate-income families. The Plan was approved by City Council on March 24, 2000 and reaffirmed the three basic goals of the City's Housing Policy: *preserve the existing housing stock, expand the supply of low and moderate-income housing, and support family self-sufficiency initiatives*. The Housing Locational Policy is used to guide the City in determining the appropriate location for public assisted and low-income, multi-family housing.

Explanation:

Low-income housing tax credits are used to subsidize affordable housing. The tax credits provide direct capital subsidies to the project and tax credit or a reduction in federal tax liability to investors. To qualify for tax credits the project units must be for tenants with incomes below 60% of the area median income (\$38,460) based on a household size of four. (The 2002 median household income for the Charlotte area is \$64,100.) The federal government provides the tax credits to the State, which administers the program.

The North Carolina Housing Finance Agency (NCHFA) submitted letters to the City of Charlotte requesting comments on 14 proposed low-income housing developments. The developers of these projects applied to the NCHFA for tax credits or bonds. Two developers have withdrawn their applications leaving only 12 for consideration. The proposed housing projects recommendations are as follows:

Number / Ranking	Project Name	Letter of Support	Financial Commitment	Housing Location Policy Waiver
1	Tyvola Crossing	Yes	Yes, \$1,131,567 (Approved 12/10/01)	Approved (12/10/01)
2	The Baxter	Yes	Yes, \$1,300,000 (Approved 11/26/01)	Approved (11/26/01)
3	Arbor Glen II	Yes	None Requested	Needs Waiver
4	Little Rock Apartments	Yes	No; Staff still reviewing bond support	Exempt Rehabilitation
5	Barringer Oaks	Yes	None Requested	Exempt Rehabilitation
6	Honey Creek Seniors	Yes	Yes; \$850,000	Exempt Elderly
7	Horizon At The Park	Yes	Yes; \$300,000	Exempt Elderly
8	The Arbors At Sugar Creek	Yes	None Requested	Priority Area
9	Rosedale II / Hope Haven	Yes	Yes; \$911,279	Exempt Special Needs
10	Yorkshire Glen Apartments	Yes	Yes; \$300,000	Priority Area
11	The Blake Senior Apartments	Yes	No; \$1,150,000	Exempt
12	The Village at Wallace Glen	Yes	Yes; \$200,000	Exempt Elderly

See attachments for more detailed information on the projects including leverage ratios. City Council may approve all or some of the above project recommendations.

The Committee is recommending Letters of Support for all the proposed projects. Approval of any of these projects will help the City further its housing goals.

The City received financial requests totaling \$6,142,846. Two projects, Tyvola Crossing Apartments and The Baxter, received financial commitments from the City last year totaling \$2,431,557. The City has received new requests totaling \$3,711,279. The City has available funding sources to financially commit to the remaining projects with the exception of the Blake Senior Apartments. However, the NCHFA is not expected to approve all of the above projects; therefore the City's actual financial obligation is expected to be somewhat less.

Finally, only one project needs a waiver of the City's Housing Locational Policy. The Arbor Glen Phase II requires a waiver of the policy because it is in a prohibited area. City Council approved a waiver for Phase I of the project in 2000.

Comments submitted by the City of Charlotte will be given consideration in the NCHFA's selection of any tax credit applications. The final decisions are

expected in August 2002. It is anticipated that only a small number of the projects will receive tax credits this year.

The proposed project list has been prioritized based on the following criteria:

1. Housing Locational Policy
2. Revitalization Strategy for Targeted Neighborhoods
3. City Policy Goals
4. Period of Affordability
5. Number of Affordable Units Produced
6. On-Site Management Standards

Due to limits on available funds, staff also reviewed the NCHFA final market scores for the projects. Staff is requesting that the City submit the above priority rating list to the NCHFA.

Committee Discussion:

On May 2 the CWAC Committee received an overview of the tax credit projects. Staff explained that the City Housing (2/3) Bonds had an adverse impact on the amount of tax credits a project could qualify for by reducing the credits from 9% to 4%. Staff has rearranged the funding sources for most of the projects to compensate for this issue. This is an issue that staff will continue to research with the City's Bond Attorney and other parties of interest. The Committee requested information on the leverage factors for the tax credit projects. The leverage information is included in the attached table of proposed projects.

The Committee inquired about the request for the \$10 million bond inducement for Little Rock Apartments. Staff indicated that they are still conducting the due diligence and do not have a recommendation at this time.

The Committee also discussed a request from the Charlotte-Mecklenburg Housing Partnership (CMHP) to receive a reservation for City Bond Funds for their Rosedale II / Hope Haven Apartments project. The CMHP indicated they wanted to explore options for using City Bonds with their tax credit proposal.

The Committee unanimously recommended approval of the tax credit projects to City Council including the CMHP request. Committee members Mumford, Mitchell, Lochman and Spencer were present. Council member Cannon was absent.

Funding:

HOME, Innovative Housing and City Bond Funds for projects that have requested City funding. Any funding commitment is contingent upon approval of tax credits or bonds by the North Carolina Housing Finance Agency and City Council's approval of the contract.

Attachment 5

Table of Proposed Projects

Proposed Tax Credit Projects Report (Distributed to Council in April)

11. St. Peters' Homes Project**Action: Approve the CWAC Committee's recommendations to:**

- A. Approve a deferred payment loan in the amount of \$1,025,542 to St. Peters' Homes, Inc. for construction of a 64-unit Single Room Occupancy (SRO) facility at the southeast corner of North Davidson Street and East 25th Street, adjacent to the Villa Heights Neighborhood;**
- B. Incorporate management and operations commitments by St. Peters' Homes into the loan agreement;**
- C. Endorse the continuation of the neighborhood collaboration process for development and operation of the facility; and**
- D. Recognize that there was a public process that allowed all interested parties to participate and will continue to allow parties to participate.**

Committee Chair: Pat Mumford**Staff Resource:** Stanley Watkins, Neighborhood Development**Policy:**

The City's Consolidated Plan identifies a need for affordable, safe and decent housing for low and moderate-income families. The FY2001 – 2005 Consolidated Plan, which established guidelines for the expenditure of federal housing funds, was approved by City Council on April 24, 2000. The City Council has also adopted a Housing Trust Fund Policy, which permits City Bond funds to be used for new construction to develop Single Room Occupancy Facilities.

Explanation:

St. Peters' Homes, Inc. is requesting \$1,025,542 from the City to construct a 64-room Single Room Occupancy (SRO) facility at the southeast corner of North Davidson Street and East 25th Street, adjacent to the Villa Heights Neighborhood. The project will be located on a 1.148-acre site zoned I-1 (Light Industrial) that is currently owned by St. Peters' Homes. The facility will provide permanent housing for single disabled men. This project is exempt from the Housing Locational Policy because it serves the disabled – special needs population.

The facility includes 64 rooms of approximately 100 sq. ft each. Each room will include a bed with underneath storage, hang-up rod and shelves, dresser, desk and chair, sink and small refrigerator. Four rooms will share a common bathroom and 8-10 rooms will share a kitchen/dining/lounge area. The rooms will be wired for cable and telephone services will be made available to residents for an additional charge. In addition, the facility will include common meeting rooms and offices for staff and support personnel.

The total cost of the project is \$1,860,902. The proposed terms on the City's loan of \$1,025,542 is 0% interest and 20 year period. The City will have a first lien on real estate and improvements. The proposed per unit cost is \$29,077 or \$94 per square foot.

Sources and Uses of Funds:

Sources

HUD Grant	400,000
Jeremiah Churches	140,000
In Kind Contributions	295,360
City of Charlotte Loan	<u>1,025,542</u>
Total	\$1,860,902

Uses

Land	157,500
Hard Construction Costs	1,288,000
Soft Construction Costs	<u>415,402</u>
Total	\$1,860,902

St. Peters' Homes will provide a full time facility manager, receptionist, two counselors, maintenance and security personnel. Prospective residents will be screened relative to income eligibility, evidence of income, past criminal activity and rental history.

At the request of the CWAC Committee, St. Peters' Homes, Inc., North Davidson Business District Association (NODA) and other interested parties engaged in discussions concerning the proposed SRO facility. Although no agreement was reached regarding the facility, St. Peters' Homes made commitments relative to five key points regarding the management and operations of the facility. Those commitments include:

1. Prohibit persons with a violent criminal conviction admission into the facility. This includes convictions for sex offenses, drug trafficking, murder, etc. No persons with a felony conviction of any kind in the last three years will be allowed.
2. Perform random drug test on suspected substance abusers on an ongoing basis. This provision will be written into the 30-day lease agreements.
3. Develop security plans for the building and residents. St. Peters' Homes will provide 24-hour staff and security personnel coverage at

- the facility. The facility's security, cameras, and alarm systems will be coordinated with the Charlotte-Mecklenburg Police Department.
4. Establish formal and official Neighborhood Advisory Council to receive feedback and input on the operations of the facility from surrounding neighborhoods and institutions.
 5. Establish a system to help remove residents from the neighborhood when they are evicted from the facility.

Community Discussion:

On May 2, 2002 the CWAC Committee reviewed the commitments offered by St. Peters' Homes. The commitments resulted from issues raised at the meeting held on April 30, 2002 with residents and business owners in the NODA district. Representatives from St. Peters' Homes, Inc. were in attendance at the CWAC meeting. Business owners from NODA were invited to the meeting as well, but declined to attend and offered no explanation.

The Committee sought clarification on the six major issues raised by the business association at the April 30, 2002 meeting. Key discussion points included:

- prohibition of violent offenders,
- standards for eviction,
- what happens to residents once they are evicted,
- clarification of on-site coverage of staff and security personnel and
- continuation of community outreach by St. Peters' Homes.

One issue regarding establishing quotas for the type of residents at the facility could not be accomplished due to Federal Fair Housing requirements.

The Committee discussed whether they should send a recommendation forward to City Council. One committee member expressed concern that they have not heard a response from the NODA Business Association. Staff agreed to e-mail St. Peters' Homes final commitment, with suggested language changes, to NODA and City Council by May 10, 2002. After extensive discussions, the Committee voted four to one to recommend that City Council approve a deferred loan for the SRO, incorporate St. Peters' Homes commitments into the loan agreement, endorse the continuation of dialogue by St. Peters' Homes with interested parties and acknowledge the public process that has been undertaken and will be continued. Committee members Mumford, Mitchell, Cannon and Lochman voted in favor of the recommendation. Council member Spencer voted against the recommendation. Council member Graham was also in attendance.

Funding:
City Housing Bond

Attachment 6

Project Summary

Location Map

Site Plan/Elevation

Proforma

St. Peters' Homes Board of Directors

BUSINESS

12. Government District Master Plan

Action: **A. Direct the City Manager to determine City space needs within the Government District and explore potential co-location opportunities with Mecklenburg County and Charlotte-Mecklenburg Schools; and**

B. Direct the Planning Commission to prepare an Urban Design Plan for the Government District.

Staff Resource: Jim Schumacher, Engineering and Property Management
Martin Cramton Jr., Planning Commission

Explanation:

In May 2000 the City and School Board entered into an agreement with Mecklenburg County to begin a master plan study for further development of the "Government District" envisioned in the 2010 Center City Plan. The study identified the three agencies' collective future space and parking needs in the Government District. The study also identified possible opportunities for co-location of government facilities and partnering for new construction to make the best use of public property and funding.

The Government District, as shown in the 2010 Center City Plan, is adjacent to Second Ward. Since both plans directly affect the City, Mecklenburg County and the School Board, the Planning Liaison Subcommittee has been reviewing and working since December 2001 toward consensus on the two plans. The committee has determined that to complete the Government District Plan, the following three steps must occur:

Step 1: Each stakeholder (City, County and Schools) must decide which departments or divisions to locate within or outside of the Government District and determine which groups are candidates for co-location with other stakeholders (90 days).

Step 2: The stakeholders will jointly explore co-location opportunities, determine costs of proposed solutions, and make recommendations to the Planning Liaison Committee (30-60 days).

Step 3: The Planning Commission will prepare an Urban Design Plan for the Government District to address issues of street character, uses and activities, and history and context.

Final recommendations will be presented to the City, Mecklenburg County and School Boards for adoption in the fall of 2002.

13. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified. Incumbents may be reappointed at this meeting.

A. TREE COMMISSION

One appointment beginning immediately and serving until December 2004. Kelly Brannon has resigned.

Attachment 7

Applications

14. Appointments to Boards and Commissions

Action: Vote on the blue ballots for citizens to serve and give to the City Clerk before this point in the meeting so that she may be prepared to announce the results.

A. AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY

One, three year appointment beginning May 2002. Anthony Hunt is not eligible to be reappointed. The vote resulted in a tie on April 22.

Anthony Fox by Council member Spencer
Caldwell Rose by Council member Wheeler

Attachment 8

Applications

B. CIVIL SERVICE BOARD

Vote for one citizen to replace Valerie Woodard. The term begins May 2002 and lasts for three years. The vote resulted in a tie on April 22.

Mack Gadsden by Council member Mumford
Angela Shannon by Council members Graham and Wheeler

Attachment 9

Applications

C. DOMESTIC VIOLENCE ADVISORY BOARD

Vote for one citizen to replace Randy Fink, who did not meet attendance requirements. The term will begin immediately, end September 2002 and then last the next full three year term. The vote on April 22 resulted in a tie.

William Lowry by Council member Graham
Jessica Stanley by Council member Wheeler

Attachment 10

Applications

D. HISTORIC LANDMARKS COMMISSION

One position beginning immediately and serving until July 2003.
Bernard Felder has resigned.

On April 22, Council appointed Joe Kluttz; however, the County Commission had already appointed Mr. Kluttz. This action was not conveyed to City staff.

Robert Bastine by Council member Spencer
Yolanda Johnson-Gess by Council member Mitchell

Attachment 11
Applications

Introduction to CONSENT

The consent portion of the agenda is divided into two sections: Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget and are low bid.

Consent II consists of routine items that have also been approved in the budget, but may require additional explanation.

Contracts awarded to Minority and Women Business Development (MWBD) certified companies are noted. The MWBD abbreviations are as follows:

ABE – Asian American

BBE-African American

HBE – Hispanic

NBE-Native American

WBE – Non-Minority Women

Disadvantaged Enterprises (DBE) is a federal program primarily used for Aviation and Transit. DBE is race neutral.

Contractors and Consultants

All contractors and consultants selections follow the Council approved process unless explained otherwise.

CONSENT I

15. Various Bids

A. Oil & Lubricants, Equipment, Service and Anti-freeze

BSS & CATS

Recommendation: The Business Support Services Director recommends the low bid of \$150,576 by F&R Oil of Charlotte, North Carolina and the low bid of \$41,006 by Nesbit Oil Company of Charlotte, North Carolina.

The F&R Oil contract provides oil and lubricants and antifreeze. Included in the contract are storage tank and oil dispensing equipment as well as inventory stock and collection service for oil drums, used antifreeze, etc. The Nesbit contract provides hydraulic fluid for buses and straight antifreeze (not blended).

These contracts are for a one-year term with annual renewal options for four years.

B. Laboratory Supplies CMU

Recommendation: The Key Business Executive for the Charlotte Mecklenburg Utility Department recommends award of contract for miscellaneous laboratory supplies to the low bidder, Fisher Scientific, Suwanee, Georgia, in the estimated annual amount of \$80,431.86, on a unit price basis. This will be a one-year, contract, with the option to renew for two additional one-year terms.

C. Sanitary Sewer Construction – Steele Creek Road 2001 Annexation Area CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$416,402.29 by Castor Plumbing Company, Inc. of Cornelius, North Carolina. This project consists of gravity sewer pipe, manholes, and various other appurtenances and erosion controls.

MWBD: Castor will subcontract \$65,000 or 16% to Sanders Utility and Sybil Seeding, certified WBE firms and \$9,600 or 2% to Barron Maintenance, a certified BBE.

D. Sanitary Sewer Construction – Back Creek Church Road 2001 Annexation Area CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$489,223.05 by State Utility Contractors, Inc. of Monroe, North Carolina. This project consists of gravity sewer pipe, manholes, and various other appurtenances and erosion controls.

MWBD: State Utility will subcontract \$16,125 or 3% to Nicky Construction Company, a certified WBE.

E. Water and Sewer Main Construction – FY02 Contract J - Street Main Extensions CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$869,565.20 by State Utility Contractors, Inc. of Monroe, North Carolina. The award is being made on a unit price basis for a period of one year with three, one-year renewal options. This project consists of gravity sanitary sewer line, water pipe, manholes, and various other appurtenances and erosion controls.

MWBD: State Utility will subcontract \$14,130 or 2% to Nicky Construction Company, a certified WBE.

**F. Landscape Management Heating-Ventilating-
Air Conditioning (HVAC) E&PM**

Recommendation: The City Engineer recommends the low bid of \$254,807.30 by Piping, Plumbing, Mechanical Contractors, Inc. (PPMC) of Harrisburg, North Carolina. This project consists of the replacement of outdated existing HVAC systems at the Landscape Management Building located at 701 Tuckaseegee Road in Charlotte, North Carolina.

**G. Equipment Maintenance Facility Roof
Replacement E&PM**

Recommendation:

The City Engineer recommends the low bid of \$162,712 by Charley Company of Charlotte, North Carolina. This project consists of roof replacement at the Equipment Maintenance Building located at the corner of Ott Street and Seigle Avenue. This roof has extensive leak damage, the warranty has expired, and the roof has outlived its expected life.

H. Discovery Place Roof Replacement E&PM

Recommendation:

The City Engineer recommends the low bid and Alternates 1 and 3 of \$280,293 by Carolina Roofing of Lincolnton, North Carolina. This project consists of replacement of the roof at Discovery Place located at 301 North Tryon Street. This roof has an extensive leak damage, the warranty expired in December of 1996, and the roof has outlived its expected life.

I. Old Statesville Road Widening E&PM

Recommendation:

The City Engineer recommends the low bid of \$6,059,754.36 by Blythe Construction, Inc. of Charlotte, North Carolina. This project will widen 2.4 miles of Old Statesville Road (NC Hwy. 115) from Sunset Road to Lakeview Road to a four-lane, median divided highway as part of the 1998 state roadway bond package.

**J. North Sharon Amity Road at Lyttleton Drive
Intersection Improvements E&PM**

Recommendation:

The City Engineer recommends the low bid of \$680,535.13 by Sealand Contractors Corporation of Charlotte, North Carolina. This project will provide major intersection improvements including widening lane widths to 11 feet, rebuilding a curve and adding a left turn lane on Sharon Amity Road, sidewalks, and planting strip. The project limits

extend from the intersection of Windemere Lane and Sharon Amity Road to the intersection of Tangle Drive and Sharon Amity Road. The Sharon Amity Road/Lyttleton Drive Intersection project was identified as a high priority for funding in the November 2000 bond referendum. This project followed an advance design process that results in construction being completed within three years of the bond vote.

K. Carmel Road Sidewalk Improvements

E&PM

Recommendation:

The City Engineer recommends that the low bid of \$424,961.25 by CMI Contracting of Monroe, North Carolina be accepted. This project will provide a continuous sidewalk system from Sharon View Road to Quail Hollow Road.

L. Repairs to City Bridges 2002

CDOT

Recommendation:

The Transportation Key Business Executive recommends the low bid of \$734,016.46 by Lee Construction Company of the Carolinas of Charlotte, North Carolina. The City is required by federal law to inspect all bridge structures on public roads every two years. This contract will provide for repairs to 84 city bridges identified by the 2000 Bridge Inspection Cycle.

16. Set Voluntary Annexation Public Hearing Date

Action: Adopt a resolution setting a public hearing for June 10, 2002 for a voluntary annexation of property located on Gum Branch Road.

Attachment 12

Resolution

Map

CONSENT II

17. City and County Shared Programs Joint Undertaking Agreement Amendments

Action: Approve amendments to the Restated Consolidated Shared Programs Joint Undertaking Agreement between the City of Charlotte and Mecklenburg County.

Staff Resource: Curt Walton, Budget and Evaluation
Judy Emken, City Attorney's Office

Explanation:

The Restated Consolidated Shared Programs Joint Undertaking Agreement between the City of Charlotte and Mecklenburg County specifies the details and financing of various programs or joint undertakings which are operated by one government or report for budget purposes to one government for the mutual benefit of both governments. These programs and joint undertakings currently include, but are not limited to, procurement services, cable television administration, engineering plans review, emergency management, elections, and tax collections.

The City Manager and the County Manager recommend adding the "Public Safety Emergency Telephone Service" amendment to the Restated Consolidated Shared Programs Joint Undertaking Agreement to define the terms and procedures for sharing 911 Surcharge revenues with Mecklenburg County.

In addition to adding "Public Safety Emergency Telephone Service to the Agreement", the City Manager and the County Manager also recommend amending other portions of the Restated Consolidated Shared Programs Joint Undertaking Agreement as follows:

1. Eliminate references to the Youth Involvement Council, since it is no longer being funded by the City
2. Change the name of the "City Purchasing Department" to the "Procurement Services Division"
3. Add a second MBE/WBE position to the list of positions not jointly funded. (Mecklenburg County pays no portion of the two City positions dedicated to the MBE/WBE program. The current agreement lists only one position for which the County will not share costs.)
4. Change the name of the "City Engineering Department" to the "City Engineering and Property Management Department"

5. Change the name of various County departments to reflect their current names.

Background:

The Mecklenburg County Commission will consider the amendments to the Restated Consolidated Shared Programs Joint Undertaking Agreement on May 21, 2002.

On May 14, 2001, City Council adopted an Ordinance establishing the Public Safety Emergency Telephone Service Surcharge to provide dedicated funding for 911 emergency telephone services provided by the Charlotte-Mecklenburg Police Department, the Charlotte Fire Department and County MEDIC. By state law the funds may only be used for emergency telephone services. The Ordinance provides for the City to collect the surcharge revenues from local telephone service providers and to distribute the revenues to the three emergency services organizations. The surcharge became effective on September 16, 2001.

Attachment 13

Agreement

18. Lead Based Paint Hazard Reduction Contract

Action: Authorize the City Manager to execute a two-year contract with Soils and Materials Engineering, Inc. up to \$400,000 to perform lead hazard testing and management activities.

Staff Resource: Diane Adams, Neighborhood Development

Policy:

The City's housing policy is to provide safe, decent and affordable housing in Charlotte.

Explanation:

Authorization of this contract will allow Soils and Materials Engineering, Inc. (S&ME) to perform lead testing, risk assessments and clearance testing on 400 units for the City's Lead Hazard Reduction Program. The City competitively bid the contract and S&ME was the successful bidder based on experience and lowest pricing. Eight contractors attended the pre-bid meeting on March 25, 2002. Three contractors returned bids – S&ME at \$1,135/unit, Environmental Investigation at \$1,545/unit and ALC Environmental at \$1,615/unit.

In 1998, the City contracted with S&ME to provide lead testing, risk assessments and clearance testing. S&ME has completed and performed their work successfully and has had the original contract extended several times based on good performance. S&ME is the best choice to perform these

contracted services for the Lead Hazard Reduction Program based on performance and price. The proposed contract will be evaluated annually for performance.

S&ME is an Equal Opportunity Employer and also agrees to abide by the U.S. Department of Housing and Urban Development (HUD) Section 3 requirements in relation to the contract.

Background:

On February 15, 2002, HUD notified the City of Charlotte that it was authorized to initiate spending of the \$3,000,000 Lead Based Paint Hazard Control Grant that was awarded in late 2001. The goal of the grant is to make 337 units of low-income housing lead-safe over a thirty-month period. Lead hazards have been reduced in 611 housing units using existing grant funds received in 1996.

Funding:

The City will be using federal grant funds from the U.S. Department of Housing and Urban Development.

19. Passenger Loading Bridges-Concourse E Contract and Budget Ordinance

Action: A. Award a contract in the amount of \$527,840 to Dew Bridge of Ontario, Canada for installation of passenger loading bridges on Concourse E; and

B. Adopt a budget ordinance appropriating \$527,840 from the Discretionary Fund Balance to be repaid from the proceeds of future General Airport Revenue Bonds.

Staff Resource: Jerry Orr, Aviation

Explanation:

This contract will acquire and install two passenger loading bridges on the new Concourse E so passengers will not be required to walk on the ramp to board the aircraft.

On February 25, 2002 the new Concourse E opened with 26 gates designed for regional aircraft. The gates are designed to accommodate the new regional jet aircraft and loading bridges.

Funding:

Aviation Capital Investment Plan

Attachment 14

Budget Ordinance

20. Agreement for Firefighting Services at Charlotte Douglas International Airport

Action: Renew the agreement between the City and the N.C. Air National Guard to share firefighting responsibilities at Charlotte/Douglas International Airport.

Staff Resource: Jerry Orr, Aviation
Luther Fincher, Fire Chief

Explanation:

Federal regulations require that the Airport have firefighting capabilities for aircraft fires and other Airport emergencies. Likewise, the N.C. Air National Guard (Guard), which has a sizeable base at the Airport, is required by federal law to provide similar services for its base. The City and the Guard have an agreement whereby these responsibilities are shared.

Currently, the City provides firefighting personnel and the Guard provides a facility for the fire station and sufficient Airport Rescue Firefighting (ARFF) vehicles to meet the Federal Aviation Administration (FAA) requirement. The station is known as Station 17 and is located on the Guard's leased premises at the Airport. The firefighters at Station 17 provide firefighting services to the community as well as the Airport.

The renewal agreement simply extends the term of this agreement indefinitely, unless terminated by either the City or the Guard. There are no other significant changes to the agreement, and the renewal does not require any additional expenditure by the City.

The Airport Advisory Committee recommends this action.

21. McAlpine Creek Wastewater Management Facility Expansion Phase II – Contract Amendment with HDR Engineering

Action: Approve Amendment #1 for \$186,667 with HDR Engineering, Incorporated to provide system integration services associated with expansion of the McAlpine Creek Wastewater Management Facility.

Staff Resource: Doug Bean, Utilities

Explanation:

The original \$4,634,501 contract to provide engineering and construction management services for Phase II improvements at the McAlpine Creek WWMF with HDR was approved by City Council on August 28, 2000. Phase II will improve operation and maintenance of the wastewater treatment plant. This project consists of four separate construction projects. The first

project, biosolids management improvements-digesters, has been awarded and construction will begin on April 29, 2002. In the past, instrumentation programming and monitoring was included as a function of the electrical contractor. Staff determined during the design that it would be beneficial to overall plant operations for this work to be performed by the engineer designing the Biosolids Management Improvements Project. The scope of the services for amendment #1 includes computer programming, review of vendor equipment submittals, coordination meetings with contractors and network communications testing, software installation, and testing and training.

With this amendment, the contract with HDR will increase from \$4,634,501 to \$4,821,168.

MWBD:

HDR has proposed a \$168,000 subcontract with CITI, a certified HBE.

Funding:

Sewer Capital Investment Plan

22. Mallard Creek Water Reclamation Facility (WRF)-Change Order #1

Action: Approve Change Order #1 for \$360,000 to the contract with Baker Process for service and maintenance of centrifuges at the Mallard Creek Water Reclamation Facility.

Staff Resource:

Doug Bean, Utilities

Explanation:

On May 8, 2000, City Council approved a contract with Baker Process in the amount of \$1,063,243. This contract was for procurement and service maintenance of thickening and dewatering centrifuges that were installed within the Mallard Creek WRF biosolids handling building.

Since the centrifuges have been installed, maintenance is required. Change Order #1 will provide service maintenance to the centrifuges. The change order amount is the competitive bid amount. The maintenance agreement is for five years.

With this change order, the contract with Baker Process will increase from \$1,063,243 to \$1,423,243.

Funding:

Sewer Capital Investment Plan and Sewer Operating Budget

23. Approve a New Lease on Golf Center

Action: Approve transfer of lease on city-owned property at 5845 South Tryon Street, currently leased to AMF Bowling Worldwide (dba Michael Jordan Golf Center). The new tenant will be Leatherman Golf Learning Center, LLC.

Staff Resource: Kent Winslow, Engineering and Property Management

Explanation:

This city-owned property has been ground leased since 1998 to a subsidiary of AMF Bowling and operated as Michael Jordan Golf Center. As part of its reorganization under Chapter 11, AMF is divesting itself of its golf centers. AMF has secured a buyer for the Charlotte location and City staff (Real Estate, Legal, Finance) has participated in drafting a lease transfer (Assignment of Lease) to the new owners. The underlying lease, approved in 1997, will remain virtually in tact.

The lease currently will generate \$41,626.32 per year. Annual consumer price index increases will be applied each year.

The current lease runs through April 30, 2014, with two, five-year extensions possible after that.

24. Lease for Telecommunications Antenna Site

Action: Approve Site Lease Agreement locating Alltel wireless telecommunications antenna and equipment at Patton Avenue Water Tower.

Staff Resource: Kent Winslow, Engineering and Property Management

Explanation:

Alltel Communications, Inc. proposes a five-year lease with options to renew for four, five-year periods. In addition to locating an antenna upon the water tower, they will locate an 11.5 feet x 16 feet equipment shelter at the base of the water tower. The lease is the standard City of Charlotte "tower lease." Charlotte-Mecklenburg Utilities has approved the site plan.

In addition to an initial \$20,000 fee to the City, rent shall be \$1,800 per month. Rent shall escalate by 3% each year of the lease.

25. Sale of City Owned Property Located at 4800 Carmel Road

Action: Approve the sale of City owned property located at 4800 Carmel Road (tax parcel 209-302-41) to Mr. & Mrs. Dantcho Dimitrov for \$176,500.

Staff Resource: Kent Winslow, Engineering and Property Management

Explanation:

On February 25, 2002 City Council authorized advertising this property for sale through the upset bid process at a starting price of \$168,000. That process was completed and the City received an upset bid for \$176,500. The property was again advertised and this time, there were no upset bids. The successful bidders are Dantcho and Teodora Dimitrov.

The appraised value of 4800 Carmel Road is \$180,000. The contract price of \$176,500 is for the property in "as is" condition. The appraised value was arrived at assuming new HVAC (2-zone), new paint throughout the interior, and new carpet throughout.

The property is zoned R-3. The dwelling is approximately 2,803 sq. ft. and is built on .471 acres. This house was acquired due to the Carmel Road widening project.

26. Participation in State Highway Projects

Action: Approve \$195,957 additional compensation to the original condemnation deposit amount of \$450,643 for a total of \$646,600.

Staff Resource: Susanne Todd, City Attorney's Office
Kent G. Winslow, Engineering and Property Management

Explanation:

On February 26, 2001 City Council approved the condemnation of .591 acres for the NCDOT Sharon Amity/Independence Boulevard intersection project. The City is acquiring the property before new development occurs on it. This intersection improvement project is very high on the City's list of state projects. This is not a state funded project at this time.

The property is located at 4410 East Independence Boulevard. As of February 2001, the amount of compensation established by two independent, certified appraisals was \$450,643.

Since February 2001 staff has continued to negotiate with the property owners. Due to the property owner's lack of cooperation in the appraisal process, the original appraisals were based on land value only. Since that time, the property owner has cooperated with the appraisers and the updated appraisals are based on an actual income approach. The updated appraisals indicate an increase in value of \$195,957 for a total property value of \$646,600.

Staff has yet to reach a negotiated settlement with the property owners.

Funding:

Transportation Capital Investment Plan

27. Property Transactions

Action: Approve the following property acquisitions (A-J) and adopt the condemnation resolutions (K-S).

For property transactions A-C, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired for Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition cost are eligible for Federal Aviation Administration reimbursement.

*NOTE: Condemnation Resolutions are on file in the City Clerk's Office.

- A. Project:** FAR Part 150 Land Acquisition
Owner(s): Tony M. Wright
Property Address: 8304 Old Dowd Road
Property to be acquired: .560 acres
Improvements: Single Family residence
Purchase Price: \$60,000
Zoned: I1
Use: Single Family Residence
Tax Value: \$29,300
Tax Code: 113-111-05
- B. Project:** Airport Master Plan Land Acquisition
Owner(s): G R T Co Inc.
Property Address: Frosch Road

Property to be acquired: .009 acres
Improvements: Well
Purchase Price: \$2,000
Zoned: I1
Use: Community Well
Tax Value: \$600
Tax Code: 113-142-01

- C. Project:** Airport Master Plan Land Acquisition
Owner(s): Paul Norman Company Inc.
Property Address: 5220 Dixie Road and Dixie River Road
Property to be acquired: 5.50 acres
Improvements: Prefabricated Warehouse
Purchase Price: \$1,066,000
Zoned: I1
Use: Whse
Tax Value: \$517,080
Tax Code: 141-271-08 and 141-271-06
- D. Project:** Central Avenue Streetscape, Parcel #69
Owner(s): G.C. Miller and Wife, Christine Miller
Property Address: 4732 Central Avenue
Property to be acquired: 423 sq.ft. (0.010 ac.) of Fee Simple plus 44 sq.ft. (0.001 ac.) of Permanent Easement, plus 1,417 sq.ft. (0.033 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$13,450
Remarks: This acquisition is required for the Central Avenue Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: B-1
Use: Warehouse/Industrial
Tax Code: 031-041-25
Total Parcel Tax Value: \$266,820
- E. Project:** Prosperity Church Road Widening-Phase II, Parcel #136, #137, and #138
Owner(s): David D. Dye
Property Address: Prosperity Church Road and 5101 Prosperity Church Road
Property to be acquired: 22,655 sq.ft. (0.520 ac.) of Fee Simple plus 2,125 sq.ft. (0.049 ac.) of Permanent Easement, plus 20,164 sq.ft. (0.463 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$24,163
Remarks: This acquisition is required for the Prosperity Church Road-Phase II Widening Project. Compensation was established by independent, certified appraisals and an appraisal review.

Zoned: R-3 and NS
Use: Vacant
Tax Code: 027-062-18 and 027-062-06
Total Parcel Tax Value: \$229,930

F. Project: 24-inch Water Main along South Polk Street, Parcel #5

Owner(s): Luck Stone Corporation
Property Address: 605 Towne Centre Boulevard
Property to be acquired: 13,114 sq.ft. (0.301 ac.) of Permanent Easement
Improvements: None
Purchase Price: \$28,000
Remarks: This acquisition is required for the 24-inch Water Main along South Polk Street Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: B-4
Use: Office
Tax Code: 221-131-24
Total Parcel Tax Value: \$976,760

G. Project: Freedom Drive (NC 27) Widening, Parcel #520,

Owner(s): Curtis L. McCurry and Wife, Sue J. McCurry
Property Address: 821 Little Rock Road
Property to be acquired: 21,780 sq.ft. (0.500 ac.) of Fee Simple Total Acquisition
Improvements: Single Family Dwelling and All Improvements
Purchase Price: \$104,000
Remarks: This acquisition is required for the Freedom Drive (NC 27) Widening Project. Compensation was established by two independent, certified appraisals and an appraisal review.
Zoned: R-3
Use: Single Family Residential
Tax Code: 059-225-11
Total Parcel Tax Value: \$66,410

H. Project: Sharon View Sidewalk Project, Parcel #17

Owner(s): J. Jay Nomina and Wife, Jan J. Nomina
Property Address: 4817 Hardison Road
Property to be acquired: 2,239 sq.ft. (.051 ac.) of Temporary Construction Easement
Improvements: Mature Ornamental Landscape Buffer
Purchase Price: \$26,125
Remarks: This acquisition is required for the Sharon View Road Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: R-3
Use: Residential
Tax Code: 187-231-22

Total Parcel Tax Value: \$762,090

- I. Project:** Andover Road CIP, Parcel #8
Owner(s): Willis J. Hidell, Jr. and Kristin M. Hidell
Property Address: 2432 Danbury Street
Property to be acquired: 4,646 sq.ft. (0.107 ac.) of Permanent Easement plus 1,015 sq.ft. (0.023 ac.) of Temporary Construction Easement
Improvements: Tree
Purchase Price: \$10,850
Remarks: This acquisition is required for the Andover Road CIP Project. Compensation was established by an independent, certified appraisal in the area.
Zoned: R-3
Use: Residential
Tax Code: 181-102-07
Total Parcel Tax Value: \$230,730
- J. Project:** Wilkinson Boulevard Gateway, Parcel #7
Owner(s): Dillon Supply Company
Property Address: 2127 Wilkinson Boulevard
Property to be acquired: 3,246 sq.ft. (0.074 ac.) of Permanent Easement, plus 2,151 sq.ft. (0.049 ac.) of Temporary Construction Easement
Improvements: Crepe Myrtles and Asphalt Pavement
Purchase Price: \$13,125
Remarks: This acquisition is required for the Wilkinson Boulevard Gateway Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: I-2
Use: Warehouse
Tax Code: 119-011-02
Total Parcel Tax Value: \$737,550

Condemnations:

- K. Project:** Old Statesville Road Widening, Parcel #105,
Owner(s): Praxair Surface Technologies, Inc. and Any Other Parties of Interest
Property Address: 8501 Old Statesville Road
Property to be acquired: 14,635 sq.ft. (0.34 ac.) of Fee Simple Right of Way, Permanent Utility Easement and Temporary Construction Easement
Improvements: None
Purchase Price: \$0
Remarks: This acquisition is required for the Old Statesville Road Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. The appraisal indicates that the property benefits from construction

of this project. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: I-2

Use: Warehouse/Industrial/Light Manufacturing

Tax Code: 037-253-04

Total Parcel Tax Value: \$1,630,270

- L. Project:** Central Avenue Streetscape, Parcel #49
Owner(s): Circle K Properties, Inc. and Any Other Parties of Interest
Property Address: 4016 Rosehaven Drive
Property to be acquired: 3,551 sq.ft. (0.082 ac.) of Fee Simple, Permanent Easement, and Temporary Construction Easement
Improvements: None
Purchase Price: \$12,925
Remarks: This acquisition is required for the Central Avenue Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-1 and R17MK
Use: Commercial-Convenience Store
Tax Code: 101-204-11
Total Parcel Tax Value: \$443,220
- M. Project:** Prosperity Church Road Widening-Phase II, Parcel #119
Owner(s): Linda P. Smith Living Trust (Linda and Stanley Smith CO-TST) and Any Other Parties of Interest
Property Address: 4840 Prosperity Church Road
Property to be acquired: 40,544 sq.ft. (0.931 ac.) of Fee Simple, plus Permanent Easement, and Temporary Construction Easement
Improvements: None
Purchase Price: \$33,175
Remarks: This acquisition is required for the Prosperity Church Road Widening-Phase II Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Vacant
Tax Code: 029-321-13
Total Parcel Tax Value: \$193,680
- N. Project:** Prosperity Church Road Widening-Phase II, Parcel #119A
Owner(s): Christine J. Sylvester and Any Other Parties of Interest

Property Address: Prosperity Church Road
Property to be acquired: 5,318 sq.ft. (0.122 ac.) of Fee Simple plus Temporary Construction Easement
Improvements: None
Purchase Price: \$4,450
Remarks: This acquisition is required for the Prosperity Church Road Widening-Phase II Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Vacant
Tax Code: 029-321-33
Total Parcel Tax Value: \$41,780

O. Project: 2001 Annexation Back Creek Road Area Trunk D&E, Parcel #11

Owner(s): Duke Power Company and Any Other Parties of Interest

Property Address: 2530 East W.T. Harris Boulevard

Property to be acquired: 54,687 sq.ft. (1.255 ac.) of Permanent Easement, plus Temporary Construction Easement

Improvements: None

Purchase Price: \$12,850

Remarks: This acquisition is required for the 2001 Annexation Back Creek Church Road Area Trunk D&E Project.

Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: I-2CD

Use: Warehouse/Whse/Industrial

Tax Code: 105-021-19

Total Parcel Tax Value: \$3,383,840

P. Project: Sanitary Sewer to Serve Hambright Road, Parcel #8

Owner(s): Lewis M. Allen and Any Other Parties of Interest

Property Address: 12117 Lakewood Drive

Property to be acquired: 2,142 sq.ft. (0.050 ac.) of Permanent Easement, plus Temporary Construction Easement

Improvements: None

Purchase Price: \$600

Remarks: This acquisition is required for the Sanitary Sewer to Serve Hambright Road Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff is recommending condemnation in order to obtain clear title.

Zoned: RMH

Use: Vacant

Tax Code: 017-247-19

Total Parcel Tax Value: \$8,000

- Q. Project:** Sanitary Sewer to Serve Hambright Road, Parcel #22
Owner(s): Carlos E. Rioja and Any Other Parties of Interest
Property Address: 11700 Lakehaven Drive
Property to be acquired: 5,140 sq.ft. (0.118 ac.) of Permanent Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$1,160
Remarks: This acquisition is required for the Sanitary Sewer to Serve Hambright Road Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff is recommending condemnation in order to obtain clear title.
Zoned: RMH
Use: Vacant
Tax Code: 017-243-26
Total Parcel Tax Value: \$16,000
- R. Project:** Sanitary Sewer to Serve Hambright Road, Parcel #23, #24, #25, #26 and #27
Owner(s): Ruby W. Andrews and Any Other Parties of Interest
Property Address: 11704 Lakehaven Drive
Property to be acquired: 12,731 sq.ft. (0.293 ac.) of Permanent Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$8,450
Remarks: This acquisition is required for the Sanitary Sewer to Serve Hambright Road Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: RMH
Use: Vacant
Tax Code: 017-243-25, 24, 22, 21 and 20
Total Parcel Tax Value: \$8,000
- S. Project:** Freedom Drive (NC 27) Widening, Parcel #402,
Owner(s): Thomas W.R. Bradshaw and Wife, Marcia Devon Bradshaw Any Other Parties of Interest
Property Address: 3821 Freedom Drive
Property to be acquired: 36,460 sq.ft. (0.837 ac.) Fee Simple Total Acquisition
Improvements: Single Family Dwelling and All Improvements
Purchase Price: \$131,000
Remarks: This acquisition is required for the Freedom Drive (NC 27) Widening Project. Compensation was established by two independent, certified appraisals and an appraisal review. City

Staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-4

Use: Single Family Residential

Tax Code: 059-012-18

Total Parcel Tax Value: \$109,080

28. Meeting Minutes

Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:

- **April 8, 2002 Business Meeting**
- **April 15, 2002 Zoning Meeting**
- **April 17, 2002 Budget Retreat**